

WORKFORCE DEVELOPMENT DEPARTMENT[871]

Adopted and Filed

Pursuant to the authority of Iowa Code section 96.11, the Director of the Workforce Development Department hereby amends Chapter 21, “Unemployment Insurance Services Division,” Chapter 22, “Employer Records and Reports,” Chapter 23, “Employer’s Contribution and Charges,” and Chapter 24, “Claims and Benefits,” Iowa Administrative Code.

The adopted amendments make the following changes:

The amendments to paragraphs 21.1(1)“c” and “d” update the description of functions performed in the tax bureau.

The amendment to subrule 22.3(1) includes new electronic filing provisions.

The amendment to subrule 22.3(6) provides for electronically filed reports.

The amendment to rule 871—22.4(96) removes obsolete language and updates procedures.

The amendment to rule 871—22.11(96) provides for reporting units in lieu of separate account numbers.

The amendment to rule 871—22.12(96) provides information regarding reporting units.

The amendment to rule 871—22.13(96) reflects electronic filing, which will have reporting units in place of location codes.

The amendment to paragraph 22.17(4)“i” provides a description of current audit procedures.

The amendment to paragraph 22.17(4)“k” updates the current procedures of the Department.

The amendments to subrules 22.18(1) and 22.18(2) update the information required of employer representatives to include electronic filing.

The amendment to subrule 23.8(3) includes the due date for new agricultural and domestic employers.

The amendment to rule 871—23.9(96) reflects the format of the current form.

The amendments to subrules 23.11(3) to 23.11(6) remove obsolete language.

The amendments to subrules 23.17(1), 23.17(9) and 23.17(14) remove obsolete language and update procedures.

The amendment to subrule 23.18(3) excludes sons or daughters from coverage for performing services for parents as part of a community-based support program.

The amendment to subrule 23.31(2) updates the items transferred in a partial successorship.

The amendments to subrule 23.32(4) remove obsolete language.

The amendment to rule 871—23.36(96) updates procedures.

The amendment to rule 871—23.37(96) removes obsolete language and updates procedures.

The amendment to rule 871—23.46(96) rescinds the rule because the applicable accounts have been eliminated.

The amendment to rule 871—23.47(96) clarifies that employer accounts with no activity are placed in inactive status.

The amendment to rule 871—23.48(96) provides that a reactivated account will retain the same account number.

The amendment to subrule 23.60(2) provides the current penalty structure for obsolete reports.

The amendment to subrule 23.70(11) clarifies that an employer changing status will retain the same account number.

The amendment to paragraph 24.22(2)“f” conforms with federal law contained in the American Recovery and Reinvestment Act of 2009 and provides that individuals must be available for work for the same number of hours as they earned wages in the base period.

The amendment adopting new rule 871—24.40(96) implements the new training extension benefits established in 2009 Iowa Acts, Senate File 197, and is designed to be in conformity with the American Recovery and Reinvestment Act of 2009.

The amendment to subrule 24.58(1) extends the duration of a voluntary shared work program by an employer from 26 weeks to 52 weeks.

The amendment to rule 871—24.58(96) updates the implementation sentence.

The amendments will not necessitate additional expenditures by political subdivisions or agencies and entities which contract with political subdivisions.

No variance provisions are included in these rules. Variance procedures are set forth in 871—Chapter 41 where applicable.

Notice of Intended Action was published in the March 10, 2010, Iowa Administrative Bulletin as **ARC 8583B**. No written comments were submitted by the public. No requests for oral presentation were made, thus a public hearing was not held. Since publication of the Notice of Intended Action, a revision was made to the amendment to subrule 24.58(1). 2010 Iowa Acts, Senate File 2279, signed by Governor Culver on April 7, 2010, made changes to the law for Voluntary Shared Work. The adopted amendment has been modified to include the update by removing the following sentence from subrule 24.58(1) in Item 33: “An employing unit is eligible for only one plan during a 24-month period.”

These amendments will become effective on June 9, 2010.

These amendments are intended to implement Iowa Code sections 96.4(3), 96.6(2), 96.7(2), 96.7(2)“b,” 96.7(2)“b”(5), 96.7(7), 96.7(10), 96.8, 96.8(2), 96.8(4), 96.11(1), 96.11(6), 96.11(6)“a,” 96.14(2), 96.19(18)“a”(2), 96.19(18)“g”(5), 96.19(16)“l” and “m,” and 96.19(17); 2009 Iowa Code Supplement sections 96.3(5) and 96.3(6)“b”; and 2009 Iowa Code Supplement section 96.40(2)“i” as amended by 2010 Iowa Acts, Senate File 2279.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Chs 21 to 24] is being omitted. With the exception of the change noted above, these amendments are identical to those published under Notice as **ARC 8583B**, IAB 3/10/10.

[Filed 4/14/10, effective 6/9/10]

[Published 5/5/10]

[For replacement pages for IAC, see IAC Supplement 5/5/10.]